**Superpredators Discursive DA**

Rhetoric about juvenile offenders is a ruse to demonize juveniles regardless of actual crime stats.

Beres writes:

“Demonizing Youth.” Linda S. Beres and Thomas D. Griffith. Jan 2001. Loyola Los Angeles Law Review.

DiJulio continued to sound the alarm even as violent youth crime was beginning to decline in the mid-1990s. DiJulio coined the lurid phrase “super-predators” to describe this new breed of juvenile offenders. The image evoked was one of individuals devoid of humanity: ‘[A] few years ago, I forswore research inside juvenile lock-ups. The buzz of impulsive violence, the vacant stares and smiles, and the remorseless eyes were at once too frightening and too depressing (my God, these are children!) for me to pretend to ‘study’ them. These super-predators lack the normal human desires for affection, companionship, and respect. And unlike other humans, they are impervious to punishment [and]. On the horizon, therefore, are tens of thousands of severely morally impoverished juvenile super-predators.

And, this discourse entrenches the logic of Holocaust.

Elikann writes:

Peter T. Elikann. Superpredators: The Demonization of Our Children by the Law. 2002.

Even the way we speak about children makes it easier for us to go after them. The now popular term ‘superpredator’ is the ultimate example. You wouldn’t want to squash and brutalize a ‘child’ would you? But squashing and brutalizing a ‘superpredator’ wouldn’t generate too much sympathy, would it? These terms help distance us from children. After all, you’re attacking a ‘thug’ or a ‘beast,’ not a person. When Representative Bill McCollum introduced the 1997 federal bill to try to incarcerate more children as adults, he cynically first named it the ‘Violent Youth Predator Act.’ It was as if he was preparing us for a social Jurassic Park. Eventually, he was forced to change it to the ‘Juvenile Crime Control Act.’ Rebecca Young, director of Citizens for Juvenile Justice, says: ‘Well; we don’t even talk about adult offenders as superpredators. I personally think part of what’s scary about using that kind of language is that the sort of thinking that goes behind that language is the sort of thinking that led to the Holocaust. It’s this sense that these people, well, they aren’t people. And you’ll hear people say that. You’ll hear people say that about people who have committed certain offenses. They’ll say, ‘He’s not a human being. He’s an animal. He should be in a cage.’ As soon as you start drawing that kind of a line, you say, ‘Based on this act you committed, you’re not human anymore.’ Well, as soon as you’re not human anymore, boy, we can do anything to you, and we can feel like we’re morally superior. And that’s pretty frightening. Now I’m not saying that the people who coined that term and the people who continue to use it are thinking, are actually aware of thinking, ‘I’m trying to dehumanize this group of people,” but I personally think that’s, in fact, what’s going on.’

And, labeling juveniles criminals increases criminal activity through self-fulfilling prophecies.

Pritikin writes:

Martin H. Pritikin. “Is Prison Increasing Crime?” Associate Professor of Law, Whittier Law School. JD, Harvard Law School, 2000; BA, University of Southern California, 1997. *Wisconsin Law Review*. 2008.

According to the school of thought known as “labeling theory,” when someone is punished for committing a criminal offense, he is effectively being labeled by the community as bad or deviant, and, in short, “[t]he person becomes the thing he is described as being.” Professor John Braithwaite has summarized the processes by which labeling can lead to further criminality: Once a person is stigmatized with a deviant label, a selffulfilling prophecy unfolds as others respond to the offender as deviant. She experiences marginality, she is attracted to subcultures which provide social support for deviance, she internalizes a deviant identity, she experiences a sense of injustice at the way she is victimized by agents of social control, her loss of respectability may push her further into an underworld by causing difficulty in earning a living legitimately. Deviance then becomes a way of life that is difficult to change and is rationalized as a defensible lifestyle within the deviant subculture. Thus, the attempt to control deviant behavior actually incites greater deviancy. The empirical evidence regarding effects of labeling on selfperception is inconclusive. Some of the most persuasive evidence in support of the theory comes from a University of Cambridge longitudinal study that showed that among similarly situated boys who committed equivalent acts of delinquency, those who were apprehended and punished became more delinquent than those who were not apprehended. A number of other studies, however, suggest that the theory is incorrect (criminal behavior precedes labeling, not vice versa) or offer mixed results.

And, matched pair studies prove that the adult system increases recidivism comparably more. This is causation, not correlation.

PBS writes:

PBS. “Does Treating Kids Like Adults Make a Difference? Frontline – Juvenile Justice. At least 2000.

A 1996 Florida study authored by Northeastern University researcher Donna Bishop also found that juveniles transferred to the criminal system were not less likely to reoffend, but in fact often had higher rates of recidivism.This research compared the recidivism rates of 2,738 juvenile offenders transferred to criminal court in Florida with a matched sample of nontransferred juveniles. Bishop and her colleagues found that although juveniles tried as adults were more likely to be incarcerated, and incarcerated for longer than those who remained in the juvenile system, they also had a higher recidivism rate. Within two years, they were more likely to reoffend, to reoffend earlier, to commit more subsequent offenses, and to commit more serious subsequent offenses than juveniles retained in the juvenile system. The authors concluded that:

"The findings suggest that transfer made little difference in deterring youths from reoffending. Adult processing of youths in criminal court actually increases recidivism rather than [having] any incapacitative effects on crime control and community protection."

And, evaluate the discursive impacts first. They have linked discursively to these depictions of juveniles, but nowhere have I linked to a discursive harm. Discourse must come first.

Hill writes:

[Cheryl Lynn Wofford Hill, "Restating International Jurisprudence in Inclusive Terms: Language as Method in Creating a Hospitable Worldview," 27 Okla. City U.L. Rev. 297, Spring, 2002, LexisNexis]

“Language is a method that has been used to achieve a more inclusive worldview**. Many** feminists**, people who discern that male-centered societies devalue women and create a hostile environment for women by overvaluing the power of men,** recognize the importance of thoughts, images, and symbols in creating a worldview**. Anne Streaty Wimberly and Edward Powell Wimberly created a workbook to helppeople in the United** **[\*322] Methodist Church realize the importance of language in multicultural relationships.** "Language has shaping qualities. We cannot escape the influence of language. Language conveys the images we develop of ourselves. It [and] shapes our relationships with one another**. It shapes life stories. Through language we learn about images and expectations of one another."** **Thoughts, images and symbols are communicated through language. "**Language is power, in ways more literal than most people think. When we speak, we exercise the power of language to transform reality**."** **Language** [and] converts ideas, images, and symbols into communication. **Language itself is largely symbolic, and it is an imperfect way to communicate thought.** Languages serve to organize thought and create categories of ideasthat can be communicated **from one person to another. "**Categories are supremely important in controlling the behavior of human beings**."**

Fiat is only illusory. The policy a judge votes for will not be passed in Congress and no one will actually die in nuclear war, but because the judge can directly shape in-round impacts and the ways issues are discussed with their ballot, the judge has a pre-fiat obligation to reject bad in-round discourse. Further, the judge is a person before a debater, so even if debate calls to evaluate argumentation, the judge is personally bound to preventing in-round discrimination and violence. But even if I lose this argument, the K functions on a policy level too.